

# STATE OF INDIANA



INDIANA UTILITY REGULATORY COMMISSION  
302 W. WASHINGTON STREET, SUITE E-306  
INDIANAPOLIS, INDIANA 46204-2764

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PETITION OF PSEG MORRISTOWN ENERGY )  
COMPANY LLC FOR (A) A DETERMINATION OF )  
THE COMMISSION'S JURISDICTION WITH )  
RESPECT TO A 340-MW GAS COMBUSTION )  
TURBINE POWER GENERATING FACILITY; (B) )  
FOR DECLINATION OF THE COMMISSION'S )  
JURISDICTION OVER THE CONSTRUCTION, )  
OWNERSHIP, OPERATION AND FINANCING OF )  
THE FACILITY PURSUANT TO IND. CODE )  
8-1-2.5; AND (C) TO THE EXTENT THE )  
COMMISSION DOES NOT DECLINE ITS )  
JURISDICTION, SUCH APPROVALS AND )  
AUTHORIZATIONS AS ARE NECESSARY TO )  
CONSTRUCT, OWN, OPERATE AND FINANCE )  
THE FACILITY, INCLUDING ISSUANCE OF A )  
CERTIFICATE OF PUBLIC CONVENIENCE AND )  
NECESSITY UNDER IND. CODE 8-1-8.5 )

FILED

DEC 04 2003

INDIANA UTILITY  
REGULATORY COMMISSION

CAUSE NO. 41867

You are hereby notified that on this date the Indiana Utility Regulatory Commission ("Commission") has caused the following entry to be made:

As a condition of the Final Order issued in this matter on August 15, 2001, (the "Final Order") the Commission included reporting requirements that required the Petitioner to keep the Commission fully apprised of the progress of construction of its facility. The Order specifically indicates that:


In addition to the foregoing reporting requirements, it shall be a condition of this Order and our continued partial declination of jurisdiction over Petitioner's operations, that it file with the Commission Annual Reports as provided in Ind. Code § 8-1-2-49 and provide such other information as the Commission may from time to time request. These reporting requirements are intended to ensure that the Commission obtains reliable, up-to-date information in a timely manner necessary to carry out its statutory obligations regarding the construction and operation of generating facilities, as well as the statutory obligations of the Commission's State Utility Forecasting Group and the OUCC.

Final Order at 10.

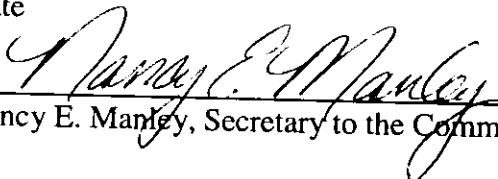
The Petitioner in this Cause failed to file an Annual Report on August 15, 2003, as required by our Final Order, and the Commission is therefore unable to determine the status of construction of the facility. Accordingly, the Petitioner should file its Annual Report with the Commission on or before December 19, 2003.

**IT IS SO ORDERED:**

  
\_\_\_\_\_  
David E. Ziegner, Commissioner

  
\_\_\_\_\_  
Scott R. Storms, Chief Administrative Law Judge

*December 4, 2003*  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Nancy E. Manley, Secretary to the Commission